

REMARKS/ARGUMENTS

Claims 1-3, 9-11, and 14-21 are currently pending. Claims 1, 9, 14, 17, and 19 have been amended and claims 20-21 have been added. Claims 4 - 8 and 10 - 13 have been canceled. Support for amendments to claims 1, 9, 14, 17, and 19 and for new claims 20 and 21 may be found in the application as originally filed at page 6, lines 9-11.

The instant amendment is filed with a Request for Continued Examination.

Claims 1 and 4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Thomas (U.S. Patent No. 3,654,570). Claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over Thomas in view of Heiter (U.S. Patent No. 5,933,770). Claims 2, 9-11, and 14-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Barnes et al. (U.S. Patent No. 5,793,162) in view of Thomas.

Claims 1, 9, 14, 17, and 19 have been amended to overcome these rejections. For example, claim 1 have been amended to recite "said first and second transmission lines within said inductive length are a substantially fixed distance apart and are bent to reduce their overall dimension." The inclusion of such limitations in the claims have been previously characterized by the Examiner as not reading on the elected species and have not been entered. It is respectfully requested that the Examiner switch the elected species, such that the elected species includes the limitations recited in amended claim 1.

Thomas does not teach or suggest every limitation recited in amended claim 1. Thomas, as understood, discloses a coaxial hybrid junction device that includes first and second conductors that are inductively coupled. Thomas's conductors are approximately parallel within a fixed length and then diverge to meet a set of center pin connectors. See Thomas's FIG. 1. Within the fixed length in which Thomas's conductors are approximately parallel, the conductors are not bent to reduce their overall dimension. Moreover, there is no motivation to bend Thomas's conductors as such bending would alter the divergence angle of the conductors, which is "[a]n important feature" that should be "finite" and have "ascertainable positions." See Thomas at Col. 3, lines 43-45. Because an important feature of Thomas's junction would be altered in bending the junction, there is not motivation to bend the junction. Therefore, Thomas

fails to show or suggest every limitation recited in amended claim 1. Therefore, Thomas fails to render amended claim 1 obvious.

Thomas, in combination with Barnes, fails to teach or suggest every limitation recited in amended claims 9. Similar to claim 1, claim 9 has been amended to recite, “said first and second transmission lines within said inductive length are a substantially fixed distance apart and are bent to reduce their overall dimension.” As discussed above with respect to claim 1, Thomas fails to teach or suggest the above limitations recited in amended claim 9. Barnes fails to make up for the deficiencies of Thomas.

Barnes, as understood, discloses a system for adjusting the resistance and reactance of a matching network that includes a set of capacitors. Barnes system includes a directional coupler configured to receive signals reflected from a cable and the matching network. The reflected signals are processed by an RF amplitude detector, which forwards amplitude information for the reflected signals to a digital controller. The digital controller is configured to control a set of DC motors, which in turn adjust the capacitance of a set of capacitors that form a portion of Barnes’s matching network. Capacitance adjustments effect changes in the resistance and reactance of Barnes’s matching network. See Barnes at Col. 4, line 6 to Col. 5, line 10. As Barnes’s matching network includes capacitors and does not include transmission lines, Barnes fails to teach or suggest a matching network that includes transmission lines that are “are a substantially fixed distance apart and are bent to reduce their overall dimension,” as recited in amended claim 9. Therefore, Barnes fails to make up for the deficiencies of Thomas. Therefore, Barnes and Thomas fail to render amended claim 9 obvious.

Claims 14, 17, and 19 have each been amended to recite similar limitations as amended claims 1 and 9, and are therefore, not rendered obvious by Thomas and Barnes for at least the forgoing reasons.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

Appl. No. 10/045,515
Amdt. dated October 6, 2004
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Rodney C. LeRoy
Reg. No. 53,205

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
RCL
60324283 v1